

PROBATION BOARD FOR NORTHERN IRELAND

BOARD MEETING – FRIDAY 25 FEBURAY 2022

9.30 AM – EDENMORE GOLF CLUB

443rd MEETING – 39th OF THE TWELFTH TERM OF OFFICE

ATTENDANCE

Mr D Ashford, Chair
Mr N Bodger, Deputy Chair
Mr K Donaghy
Mr P Douglas
Ms P Keenan
Mr M Murray
Mr G OhEara
Mr D Wall

Ms D Gilchrist, 'Boardroom Apprentice'

OFFICIALS

Ms A Stewart, Chief Executive
Dr G O'Hare, A/Director of Rehabilitation
Ms G McGreevy, Head of Communications
Ms T Murphy, DP Accountant
Mrs C Sweeney, Head of HR & OD
Mr M Cox, Board Secretary
Mrs W Rodgers, Secretariat (Minutes)

1. WELCOME, OPENING REMARKS AND CONFLICTS OF INTEREST

The Board Chair welcomed everyone to the last meeting of this Board's tenure. He also welcomed Ms Therese Murphy, DP Accountant, who is deputising for Mr King.

There were no conflicts of interest advised. A quorum was confirmed.

2. APOLOGIES FOR ABSENCE

Apologies were recorded from Dr J Byrne, Member, Mrs J Gillespie, Member, Ms G Montgomery, A/Director of Operations and Mr P King, Head of Finance & Estates

3. MINUTES OF THE BOARD MEETING HELD ON THE 21 JANUARY 2022 (M01/22)

The minutes of the Board Meeting held on Friday 21 January 2022 were approved as a true and accurate record of the meeting.

4. MINUTES OF THE SPECIAL BOARD MEETING HELD ON THE 11 FEBRUARY 2022 (M02/22)

The minutes of the Special Board Meeting held on Friday 11 February 2022 were approved as a true and accurate record of the meeting.

5. MATTERS ARISING FROM THE MINUTES (PAPER 10/22)

The Board Chair advised that the action from 21 January 2022 had been completed and there were no outstanding actions.

The Board noted the paper.

6. BOARD CHAIR'S UPDATE

The Board Chair advised members that there will be a closed session at the end of the formal meeting. The Chair also advised that as the Minister had not appointed the new Board as of this meeting, the Chief Executive has asked for assurance from the Department that a Board would be appointed by 1 March 2022. The Department confirmed that it was working to have appointments confirmed.

The Board Chair provided members with an update of his meetings and events attended since the last Board meeting.

The Board Chair undertook a number of office visits with the Chief Executive to Omagh and Downpatrick. There was positive feedback from staff on pay modernisation but concern was expressed around career progression within PBNI, the Mobility Policy and the approach to reviews of Serious Further Offences.

The Board Chair attended the last meetings, of this tenure, of the Corporate Resources Committee and the Policy & Practice Committee.

He attended a briefing for members of the Chairs' Forum and the Northern Ireland Public Sector Leadership and Governance Conference 2022. This was an all-day event with the Chief Executive and Ms Keenan also attending.

On 3 February 2022 the Board Chair, Chief Executive and Head of Finance & Estates attended an oral evidence session of the Justice Committee, in person, when they provided the Committee with details of Probation's financial situation. There had been a number of pre-meetings prior to the hearing and the Board Chair wished to thank the Officials for their work and preparation for this session..

Meetings continued on the Scheme of Delegation powers reserved for the Board. This has now been completed and will be presented to the Board today for approval. Weekly meetings continue with the Chief Executive and Board Secretary.

The Board Chair thanked the Committee Chairs for their work and for being part of the Committee Chairs' Working Group. The scheduled work of the Committees and Board has been completed by the end of the tenure which is a great achievement and thanks to the Officials for providing the papers and briefings for this work.

He thanked the Members for their engagement and time given to Board business and meetings outside of the regulated meetings.

Going forward the funding issues will be challenging and on behalf of the Board, he wished the Senior Leadership Team (SLT) and the new Board every success in delivering probation services.

The Board noted the update.

7. CHIEF EXECUTIVE'S UPDATE

The Chief Executive provided an update on meetings, visits and key issues since the last Board meeting.

In addition to the office visits with the Board Chair, the Chief Executive also visited staff in Shipquay Street and Alderwood. A Culture Building workshop was held with senior staff and JNCC to review progress on key issues from the action plan and next steps. In addition, the senior leadership team and middle managers participated in a business planning workshop to consider the key priorities for the 2022-23 Annual Business Plan .

The Chief Executive advised that engagements are also ongoing with partners in the community and voluntary sector and the main issues pertain to the funding position for the sector currently.

The key issue remains the budget pressures, which was highlighted to the Justice Committee. Conversations are ongoing with the Department on the potential funding and approach to pay modernisation and the outstanding pay remits for PBNI staff which it is hoped will be approved before the end of the financial year, before the increase in National Insurance contributions.

The Chief Executive also advised that the DOJ had given her an early readout from the Consultation on the future of PBNI. There were five responses to the consultation including PBNI's. The proposals were generally supported and Officials intend to recommend to the Minister that she makes decisions based on the proposals outlined in the consultation paper. The changes in legislation will be made as part of the DOF Bill on Reform of Public Bodies, which will give DOJ powers to make changes to the 1982 Order, by regulations and it is expected to be 2023 at the earliest to do this. Discussion ensued on pay modernisation and that it was a sensitive issue for staff. The Chief Executive also agreed to keep the Board updated on progress for approval and payment against outstanding pay remits. The Board noted the update.

8. CORRESPONDENCE (PAPER 11/22)

There was one item of correspondence to note. Letter sent by the Board Chair to the Minister of Justice on Social Work Recruitment and Retention pressures for Probation. The response will be sent to members when received.

Action: Letter received from the Minister in response to the Board Chair's letter to be made available to members at the next Board meeting. (Secretariat)

The Board noted the correspondence.

9. MANAGEMENT INFORMATION PAPER UPDATE (PAPER 12/21)

The Board Chair invited the Officials to summarise the Report for members.

The DP Accountant advised that there was a sizable underspend in resource for the financial year to date of £709k and an underspend of £521k in Capital. The reasons for the underspend were

explained to members. The Consultation on the draft budget for 2022-25 budget have been suspended with officials awaiting further guidance.

The DP Accountant provided an update on Estates, providing information on leases and purchases / sales of properties. The DOF has not granted approval for the Enniskillen office after taking into account floor space and hybrid working. Work continues to secure a property in Enniskillen. The disposal of Crawford Square has advanced and it is anticipated that completion will be in March 2022.

There are currently 31 live legal cases with 22 of these being Judicial Reviews. The Crown Solicitors Office has indicated that 9 cases are due to be closed and 2 further cases has been opened within this period. Ms Keenan, Deputy Chair of Corporate Resources Committee (CRC), advised members that the CRC had discussed legal cases at length at its meeting on 28 January 2022 when it was confirmed that PBNI were not the sole respondents in any of the Judicial Review cases.

The Head of HR & OD provided an update on HR & OD matters. Work is continuing on the 5 priorities from the Culture Action Plan as set out in the presented paper. Pay modernisation has made good progress with meetings with the SLT and the Trade Union Side. NAPO have suggested a structure and a proposed job evaluation, a follow up meeting has been arranged for 4 March 2022 to discuss the process.

The new integrated HR / Payroll system is on schedule to be rolled out to staff with Communications engaged to roll the message out to staff.

There are currently 31 vacancies with 15 vacancies being Probation Officers. The Head of HR & OD provided information on current recruitment exercises and the change in structure to the HR Department. The Head of HR & OD provided a summary of the current activity within Learning and Organizational Development as detailed in the paper. Members were also provided with a summary of Health and Safety and Employee well-being. The Board welcomed the ongoing programmes for developing staff.

The A/Director of Rehabilitation provided an update on the external audit on 'Reducing Reoffending Amongst Adults' advising that a significant amount of information has been sent providing ongoing awareness of how Probation's work crosses over with other partners. Financial modelling has been carried out on Orders, ACE, and ACE with interventions. The outcomes will be reported later in the year.

PBNI continues to operate within Phase 3 of the Covid Recovery Plan and continues to respond to the NI Executive guidelines with Area Managers using their professional judgement within their local areas. The A/Director of Rehabilitation also provided an update on Problem Solving Justice, Mental Health and Domestic Homicide Reviews. Discussion ensued with Mr Wall commenting that the transition from custody to community was a difficult one. It is evidenced that working or training reduces re-offending. He suggested that the incoming Board should be aware of this priority of moving seamlessly from prison to community and how Probation can engage with Health. The Board agreed that this was an important issue.

There were no Serious Further Offences to report in this period.

The Head of Communications provided details of internal and external communications, highlighting a number of events. The details are included in the paper provided. The Lord Mayor

presented two awards to Probation in recognition of work carried out in North Belfast including tackling addictions and poor mental health.

‘The Connect’ service user newsletter is due to be launched on 2 March 2022 at an event at Stormont.

Members were advised of the consultations that Probation are responding to with the detail provided in the paper.

The Board noted the paper.

10. BOARD SECRETARY’S BUSINESS

10.1 Board Work Plan 2021/22 (Paper 13/22)

The Board Secretary advised that the work plan covered the financial year 2021-22 and provided information on the work of Committees and Board. The 2022-23 work plan will be presented to the incoming Board

The Board noted the paper.

10.2 Governance Action Plan 2021-22 (Paper 14/22)

The Board Secretary provided an overview of the Action Plan 2021-22 which had been updated during the year as required. The Board was asked to note the paper

The Board noted the paper.

10.3 Governance Action Plan 2022-23 (Paper 15/22)

The Governance Action Plan for 2022-23 was presented to members for noting as this will be forwarded to the incoming Board

The Board noted the paper.

10.4 Schedule of Delegations (Paper 16/22)

The Board Secretary informed members that the Schedule of Delegation sets out who is responsible for what. The paper will be presented to the ARAC. It was noted that two figures require more working before the paper can go to ARAC. The requirement for clarity has come about due to the RQIA Report which found that there was not a Delegation of Responsibility in place. The Board Secretary requested that the members approve the paper in principle and then the incoming Board can review it at the appropriate time. .

The Board Chair thanked the Board Secretary for his work on the paper.

The Board approved the paper.

11. COMMITTEE CHAIR’S UPDATE – AUDIT & RISK ASSURANCE COMMITTEE (ARAC)

Mr Bodger, Committee Chair, provided the Board with a summary of the meeting held on 18 February 2022. It was suggested that the Strategic Risks and Operational Risks should be reviewed going forward.. The Committee had a presentation from the Head of Communications on Social Media activity with Mr Bodger saying it was an impressive report and a lot of work had gone into producing the report. He had asked for the report to come back to the Committee in

six months' time. The Audit and Risk Management (ARM) group had updated its Terms of Reference. All internal audits have been completed for this financial year and the external audit paper was discussed and what actions needed to be taken. There was no suspected fraud or losses identified within the period. The ARAC Work Plan provided information on the work of the Committee throughout the financial year. Mr Bodger thanked officials and committee members for their work.

The Board noted the update.

11.1 Q3 Strategic Risk Register (Paper 17/22)

The Chief Executive took members through the Q3 Strategic Risk Register highlighting the main changes made. In particular Risk 3 has been significantly amended so it is more concise and more accurately reflects the current situation. There were 3 additional risks added. Members were taken through each new risk. The Chief Executive has engaged the Chief Executives' Forum to work with the Senior Leadership Team to provide a briefing on governance and accountability and to assist in identification of the PBNI strategic risks and the mitigations in place. .

The Board approved the Q3 Strategic Risk Register

11.2 ARAC Minutes from 11 February 2022 (Paper 18/22)

The ARAC minutes from the Committee's last meeting of this tenure were brought to this meeting for Committee Members to approve. Mr Douglas proposed with Mr Murray seconding. The ARAC minutes from 18 February 2022 were approved by Committee Members.

12. COMMITTEE CHAIR'S UPDATE - CORPORATE RESOURCES COMMITTEE (CRC)

Ms Keenan, Deputy Committee Chair, provided the Board with a summary of the CRC meeting held on 28 January 2022. The meeting received a comprehensive report from the Head of IT on the progress during year 1 of the IT Strategy and looking forward into year 2. The Head of Finance & Estates provided an update on Estates and Legal Cases. The main business of the meeting was on Future Budget Planning. There was a detailed discussion on budgeting and finance with the Committee agreeing that there were 4 main risks as detailed in the draft minutes presented. There was an update on attendance with sickness / absence starting to increase. There was no further developments on the NILGOSC claim.

The Board noted the update.

12.1 Financial Outturn Report – January 2022 (Paper 19/22)

The DP Accountant provided a summary of the Financial Report for January taking members through the underspend on Resource and Capital. Contributing to the capital underspend is the delay on obtaining an Enniskillen office. There has been a dip in the Prompt Payment Target but measures have now been put in place. Discussion ensued on the lack of qualified social workers to recruit thus leading to the resource underspend.

The Board noted the paper

12.2 DOF Consultation Response (Verbal)

The DP Accountant provided the Board with a verbal update on the DOF Consultation on the 2022 – 2025 budget which is on hold as there is no Executive sitting. No further

responses are being accepted by DOF. Members were informed on what percentage of the opening budget, that under legislation, Permanent Secretaries are allowed to award to each organisation. The DOJ are awaiting further guidance and will keep organisations informed.

12.3 CRC Minutes from 28 January 2022 (Paper 20/22)

The CRC minutes from the Committee's last meeting of this tenure were brought to the meeting for Committee Members to approve. Mr Douglas proposed with Mr Donaghy seconding. The CRC minutes from 28 January 2022 were approved by Committee Members.

12.4 NILGOSC Annual Report and Accounts (Paper 21/22)

The Head of HR & OD advise that the Annual Report and Accounts were being brought to the Board for noting. The Report shows the NILGOSC pension scheme is in a positive position

The Board noted the Paper.

13. COMMITTEE CHAIR'S UPDATE - POLICY AND PRACTICE COMMITTEE (PPC)

Mr Wall, Committee Chair, provided a summary of the PPC meeting held on 18 February 2022. This was the final PPC meeting of this tenure. The A/Director of Rehabilitation provided a paper on the CJINI Inspection on How the Criminal Justice System Treats Females in Conflict with the Law. There was detailed discussion on this. ECOs were also discussed with the number of ECOs being used as a disposal having reduced through the pandemic but Judges remain supportive of them. A detail paper on research projects was discussed by members .

The DP Statistician provided analysis on quarterly headline trends, noting that the female cohort now represent 11 % of the caseload. The Committee discussed how to use the trends and figures to inform practice. There were a number of papers being brought to the Board for approval at this meeting. The Work Plan showed the work of the Committee during the 2021-22 year and all scheduled work was completed.

Mr Wall thanked the Board Secretary for his planning, Secretariat for her administration and the A/Director of Rehabilitation for her consistent work for the Committee. He also thanked his fellow members for the input on and discussion.

The Board noted the update.

13.1 Business Plan Q3 2021-22 (Paper 22/22)

The Committee reviewed the Q3 Business Plan noting that there were 6 strategic priorities. Staff had worked hard to deliver on the outcomes. All had a 'green' rating, considering the pandemic, this was a great achievement. The Committee, at its meeting on the 18 February 2022, agreed to recommend approval to the Board.

The Board approved the Q3 Business Plan 2021-22.

13.2 Draft Business Plan 2022-23 (Paper 23/22)

The Committee discussed the draft Plan noting that this is the final year of the current Corporate Plan. The PPC discussed the reduction of the objectives and agreed that nothing was being lost by reducing the numbers. It is being brought to Board at this meeting to

approve and it will then go to the Department and will return to the Board in March for final sign off. The Committee, at its meeting on 18 February 2022, agreed to recommend approval to the Board.

The Board approved the Draft Business Plan 2022-23.

13.3 Data Protection Policy (Paper 24/22)

The Head of Communications presented the Data Protection Policy to the Board for approval. The PPC had discussed the requirements of GDPR in the Policy. Following a review and discussion, the Committee, at its meeting on 18 February 2022, agreed to recommend approval to the Board.

The Board approved of the Data Protection Policy

13.4 Freedom of Information Policy (Paper 25/22)

The Head of Communications presented the Freedom of Information Policy. She advised that the changes take account of digital developments. The Committee reviewed the Policy, at its meeting on 18 February 2022, and agreed to recommend approval to the Board.

The Board approved the Freedom of Information Policy.

13.5 Reoffending Report (Paper 26/22)

The A/Director of Rehabilitation provided a summary of the Report for members. The PPC had had a good discussion on reoffending rates and when ECOs were handed down by Judges. She took members through the prison figures and gender reoffending.

The Board noted the report

13.6 PPC Draft Minutes (Paper 27/22)

The PPC minutes from the Committee's last meeting of this tenure were brought to this meeting for Committee Members to approve. Mr Murray proposed the minutes with Mr OhEara seconding. The PPC minutes from 18 February 2022 were approved by Committee Members.

14. OTHER BUSINESS

Mr Wall expressed his thanks to members and officials over his 6 years as a Board Member and Chair of the PPC. He thanked Mr OhEara and Mrs Gillespie for working with him over the 6 years of their tenure. There had been a lot of important work achieved over this time and he wished the incoming Board good wishes for the future. Mr OhEara echoed Mr Wall's comments and noted the professionalism and capability of the Board.

The Board Chair commented that there had been many challenges over the tenure of this Board with some ongoing. He thanked all the Board Members for their commitment and enthusiasm. He appreciated members facilitating extra meetings when required. He thanked all the Officials for their papers and the quality of them. He thank Mr Cox and Mrs Rodgers for their work in Secretariat and he thanked all staff of Probation for their professional working.

The Board Chair thanked the Chief Executive and her team and wished the Organisation best wishes in the future.

The meeting ended at 12.30 pm.

D Ashford QFSM
Board Chair

Date